IN THE HIGH COURT OF JUDICATURE AT PATNA
G. APP. (DB) No.29 of 2008
THE STATE OF BIHAR
Versus
BIKRAM MANDAL & ORS
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3 22-7-2008 Heard learned counsel for the State of Bihar, the appellant and perused the judgment whereunder the respondents have been acquitted of the charges under sections 304-B,498-A and 201/34 of the I.P.C. and Section ¾ of the Dowry Prohibition Act by extending to them the benefit of doubts.

On going through the judgment of the trial court it is noticed that none of the witnesses has supported the prosecution case of any torture of the deceased or demand of dowry. Thus, it is found that the essential ingredients of Sections 304-B and 498-A of the I.P.C. have not been supported by any witnesses examined on behalf of the prosecution. In that view of the matter the trial court has no option but to acquit the accused persons. We find no illegality or perversity in acquitting the respondents and hence the prayer to grant leave to appeal is rejected.

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(Shiva Kirti Singh,J)

(Madhavendra Saran,J)

Naresh